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Counsel for Defendant, DOUGLAS STORMS YORK

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 15-00226 BLF
)	
Plaintiff,)	DEFENDANT'S MOTION <i>IN LIMINE</i> NO.
)	<u>7</u> TO EXCLUDE ANY EVIDENCE
vs.)	OFFERED BY THE GOVERNMENT THAT
)	WAS NOT PRODUCED PRIOR TO TRIAL
)	
)	Pretrial Conference: July 16, 2015
)	Time: 2:00 p.m.
DOUGLAS STORMS YORK,)	
)	Trial Date: July 20, 2015
Defendant.)	
_____)	Honorable Beth Labson Freeman

Defendant Douglas Storms York, by and through his counsel, submits the following motion in limine in conformity with the Court's pretrial order and Local Rule 47-2. This motion is based upon the attached memorandum of points and authorities, all files and records in this case, and any further evidence as may be adduced at the hearing on this motion. Mr. York reserves the right to supplement this motion during the course of trial as needed.

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1 **ARGUMENT**

2 **I. The Court Should Exclude Any Evidence Offered by the Government That Was Not**
3 **Produced Prior to Trial**

4 Mr. York requests that the Court exclude any evidence that the government was obligated
5 to produce before trial pursuant to Rule 16 of the Federal Rules of Criminal Procedure. As a
6 preliminary matter, the government has not informed defense counsel that it has fully complied with
7 its discovery obligations under Rule 16 as of the date of this filing.

8 Additionally, Mr. York requests that the Court order the government to provide him with
9 prompt written notice of its intention to use any discoverable evidence in its case-in-chief pursuant
10 to Federal Rule of Criminal Procedure 12(b)(4).

11 **CONCLUSION**

12 For the foregoing reasons, and for such other reasons as may appear at the hearing on this
13 motion, Mr. York respectfully requests that the Court grant his motion, and accord such other relief
14 as this Court deems just. Mr. York requests leave to file further motions as may be necessary.

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16 Dated: July 2, 2015

Respectfully submitted,

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18 STEVEN G. KALAR
Federal Public Defender

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20 s/
GRAHAM ARCHER
Assistant Federal Public Defender